

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

NO. 5:23-CV-500-FL

UNITED STATES OF AMERICA,

Plaintiff,

v.

NEILL PITTMAN GUY, II, as personal  
representative of the Estate of Samuel  
Pittman Guy, II, BETTY NEILL GUY-  
PARSON, MARGARET ANN GUY-  
ALLIGOOD, NEILL PITTMAN GUY, II,  
SAMUEL PITTMAN GUY, III, JENNIFER  
GUY, and PNC BANK

Defendants.

ORDER

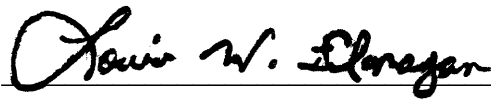
This matter is before the court upon plaintiff's motion for a stay given the bankruptcy petition of defendant Neill Pittman Guy, II ("Neill Guy") (DE 59).

Plaintiff began this tax recovery action by filing complaint September 11, 2023. Plaintiff seeks to reduce to judgment approximately \$3.8 million in unpaid taxes owed by deceased taxpayer Samuel Pittman Guy, II, and to enforce corresponding federal tax liens against parcels of real property in Fayetteville, North Carolina. As part of motions practice in the case, the court set three motions for hearing September 17, 2024. Neill Guy filed a suggestion of bankruptcy August 30, 2024, and plaintiff moved to stay the case September 10.

Such stay is required under the Bankruptcy Code, as is cancellation of the scheduled hearing. See 11 U.S.C. § 362; Skillforce, Inc. v. Hafer, 509 B.R. 523, 528–30 (E.D. Va. 2014) (holding that post-petition status conference violated automatic stay). The court therefore STAYS

this case during the pendency of Neill Guy's bankruptcy. The hearing set for September 17, 2024, is hereby CANCELLED. The parties are DIRECTED to file a joint status report on the progress of the bankruptcy proceeding every 180 days from the entry of this order. The clerk is DIRECTED to statistically close this case and to remove it from the active docket, to be reopened upon motion by any party.

SO ORDERED, this the 12th day of September, 2024.

A handwritten signature in black ink, reading "Louise W. Flanagan", written over a horizontal line.

LOUISE W. FLANAGAN  
United States District Judge